

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

ORDER

-against-

23 Mag 7457

KAVON KERRICK ROBINSON,

Defendant.

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JENNIFER E. WILLIS, United States Magistrate Judge:

The Government sought detention pursuant to 18 U.S.C. § 1342(f)(2)(A). The Government argued the Mr. Robinson posed a serious risk of flight because he was informed by FBI on September 14 and 15th that there was a warrant for his arrest, Mr. Robinson indicated that he would surrender on both days, and he failed to do so. The Government also pointed to an active warrant out of Suffolk County, New York and argued that indicated an intent and willingness to evade law enforcement. Additionally, the Government argued about the strength of the evidence, Mr. Robinson is alleged to have participated in a sophisticated scheme, and that his alleged ability to get access to other's identification information could provide him with the means to flee.

While the Court takes the Government's arguments and concerns seriously, the Court is not persuaded that there are no conditions that could reasonably assure Mr. Robinson's return to court. First as to the alleged scheme providing Mr. Robinson with skills and access to a means to flee, the Court notes that there is no recent alleged criminal conduct and the conduct alleged in the

indictment ended in November 2022. Additionally, there is no allegation that large sums of proceeds were taken that would allow Mr. Robinson to evade detection.

Although it is concerning that Mr. Robinson failed to turn himself in as promised, his behavior demonstrates that he was panicked rather than making a legitimate attempt to flee. Mr. Robinson stayed in New York City where law enforcement was aware he was, Mr. Robinson returned to Court in the Suffolk County matter two weeks after the interaction with the FBI, and he remained living at an address in the Bronx that he had previously provided to the Court in Suffolk County. All of this indicates to this Court that Mr. Robinson was not attempting to evade detection by law enforcement.

Additionally, Mr. Robinson is unemployed, 24 years old, and financially supported by his mother per the Pretrial Report. It is unlikely that Mr. Robinson has the financial ability to flee, even if he had the desire to do so.

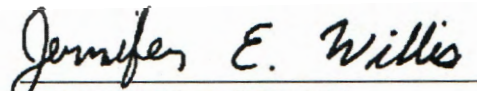
The Court believes that the package proposed by the Defense, which is more robust than the conditions of released that Pretrial Services proposed, are sufficient to ensure his return. From the Court's perspective it is one thing to impulsively fail to surrender; however, it is another thing to fail to come to Court when the finances of close friends and family are imperiled by the decision. The signatures of Mr. Robinson's mother, girlfriend, and brother, as well as a financial interest in Mr. Robinson's mother's home would be ample suasion on Mr. Robinson because of the close nature of his relationships with these individuals.

Mr. Robinson was living with his girlfriend at the time of his arrest and was arrested at her home, the address that he previously provided to the court in Suffolk County. Mr. Robinson's brother also lives within New York City, and they have daily contact. Finally, Mr. Robinson's relationship with his mother is so close that she continues to financially support him, and when law enforcement was looking for him, his mother was immediately able to contact him. These are not individuals from whom he is estranged or for whom he would be indifferent to their financial ruin.

Therefore, for the foregoing reasons, the Court found that the conditions detailed in the attached disposition sheet are sufficient to reasonably assure his return to Court.

SO ORDERED.

DATED: New York, New York
December 6, 2023


JENNIFER E. WILLIS
United States Magistrate Judge